

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: CHAIRMAN GARY L. PERRY, on January 21, 2009 at 9:00 A.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Gary L. Perry, Chairman (R)
Sen. Jim Shockley, Vice Chairman (R)
Sen. Aubyn Curtiss (R)
Sen. John Esp (R)
Sen. Greg Hinkle (R)
Sen. Larry Jent (D)
Sen. Carol C. Juneau (D)
Sen. Cliff Larsen (D)
Sen. Jesse Laslovich (D)
Sen. Dan McGee (R)
Sen. Lynda Moss (D)
Sen. Terry Murphy (R)

Members Excused: None.

Members Absent: None.

Staff Present: Valencia Lane, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 205, SB 209, 1/14/2009

Executive Action: SB 197-Do Pass As Amended

HEARING ON SB 209

Opening Statement by Sponsor:

00:02:58 **SEN. JESSE LASLOVICH (D), SD 43**, opened the hearing on
 SB 209, Uniform foreign country money judgments act.

Proponents' Testimony:

00:15:46 Karen Powell, Commissioner, Montana Uniform Law
 Commission

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:19:50 Sen. McGee
00:20:23 Sen. Laslovich
00:26:34 Sen. Esp
00:26:46 Sen. Laslovich
00:27:16 Sen. Esp
00:27:29 Ms. Powell
00:28:28 Sen. Shockley
00:29:02 Sen. Laslovich
00:29:38 Sen. Curtiss
00:30:07 Sen. Laslovich
00:31:03 Sen. McGee
00:33:13 Sen. Laslovich
00:34:44 Sen. Moss
00:35:36 Ms. Powell
00:38:28 Sen. Jent
00:39:28 Sen. Laslovich
00:40:13 Sen. Juneau
00:40:26 Sen. Laslovich
00:42:23 Sen. Perry
00:42:26 Sen. Laslovich
00:43:22 Sen. Larsen
00:44:01 Sen. Perry
00:44:18 Ms. Powell

Closing by Sponsor:

00:45:12 Sen. Laslovich

00:47:02 break

HEARING ON SB 205

Opening Statement by Sponsor:

00:55:04 **SEN. JOHN BRUEGGEMAN (R), SD 6**, opened the hearing on **SB 205**, Assault on a health care or emergency services provider.

Proponents' Testimony:

00:56:39 Don Judge, Montana Nurses Association (MNA)

[EXHIBIT\(jus14a01\)](#)

[EXHIBIT\(jus14a02\)](#)

01:02:08 Tina Hedin, President-MNA, RN-Billings Clinic Emergency Department, Billings, Montana

[EXHIBIT\(jus14a03\)](#)

01:04:24 Margaret Morgan, Montana Association Nurse Anesthetists

01:05:02 Rebecca Sturdevant, RN, MNA,

01:09:53 Keri Cross, RN, Billings Clinic, Billings, Montana

[EXHIBIT\(jus14a04\)](#)

01:11:43 Terri Minow, MEA-MFT

01:12:54 Melissa Cobb, RN, St. Peter's Hospital, Helena, Montana

01:13:16 Doug Neil, Montana State Firemans Association, (MSFA)

01:16:27 Casey Blumenthal, Montana Hospital Association (MHA)

01:17:38 Robert Allen, Executive Director-MNA

[EXHIBIT\(jus14a05\)](#)

[EXHIBIT\(jus14a06\)](#)

01:20:49 Mike Foster, Wheat Memorial Hospital, Catholic Statewide Hospitals

01:22:01 Mark Taylor, Benefis Health System

01:23:34 Erin MacLean, Montana Medical Association (MMA)

01:25:47 Jeannie Cotton, self

Opponents' Testimony:

01:26:11 Sen. Brueggeman

01:26:33 Sen. Perry

[EXHIBIT\(jus14a07\)](#)

Informational Testimony:

None

Questions from Committee Members and Responses:

01:27:14 Sen. Shockley
01:27:49 Sen. Brueggeman
01:28:47 Sen. Shockley
01:29:05 Mr. Foster
01:31:07 Sen. Brueggeman
01:31:35 Sen. Murphy
01:32:14 Ms. Sturdevant
01:32:43 Sen. Murphy
01:33:11 Sen. Brueggeman
01:34:20 Sen. McGee
01:34:35 Ms. Cross
01:37:52 Sen. McGee
01:40:02 Sen. Brueggeman
01:42:49 Sen. Jent
01:45:20 Sen. Brueggeman
01:45:40 Sen. Larsen
01:46:27 Mr. Foster
01:46:55 Sen. Moss
01:47:14 Sen. Brueggeman
01:50:26 Sen. Hinkle
01:52:15 Sen. Shockley
01:52:36 Sen. Perry
01:52:58 Ms. Hedin
01:55:43 Sen. Perry
01:56:15 Jim Smith, Montana Sheriffs and Peace Officers (MSPOA)
Association, Montana County Attorneys Association
(MCAA)
01:58:36 Sen. Shockley
01:59:28 Mr. Foster

Closing by Sponsor:

02:01:33 Sen. Brueggeman
02:04:42 Sen. Perry
02:05:19 break

EXHIBIT(jus14a08) Exhibit distributed to the Committee Members
regarding SB 212 heard 1/20/09

(Sen. McGee and Sen. Juneau absent from room.)

EXECUTIVE ACTION ON SB 197

02:16:39 **Motion:** SEN. LASLOVICH moved that **SB 197 DO PASS.**

02:17:04 **Motion:** SEN. LASLOVICH moved that **SB 197 BE AMENDED.**
EXHIBIT(jus14a09)

Discussion:

02:18:07 Sen. Esp

02:18:23 Sen. Laslovich

02:18:57 **Vote:** Motion that **SB 197 BE AMENDED** carried
unanimously by voice vote. Sen. Juneau and Sen. McGee
voted by proxy.

02:19:15 **Motion:** SEN. SHOCKLEY moved that **SB 197 DO PASS AS**
AMENDED.

Discussion:

02:19:46 Sen. Perry

02:19:54 Sen. Esp

02:20:30 Sen. Laslovich

02:21:18 Sen. Esp

02:22:10 Sen. Laslovich

02:22:38 Sen. Esp

02:23:07 Sen. Laslovich

02:23:13 Sen. Esp

02:23:39 Sen. Laslovich

(Sen. Murphy absent from room.)

(Sen. McGee enters room.)

02:24:05 **Vote:** Motion that **SB 197 DO PASS AS AMENDED** carried
unanimously by voice vote. Sen. Murphy and Sen. Juneau
voted by proxy.

EXECUTIVE ACTION ON SB 209

Discussion:

02:25:09 Sen. Laslovich
02:25:15 Sen. Moss
02:25:32 Sen. Laslovich
02:25:37 Sen. Esp
02:26:00 Sen. Shockley
02:26:22 Sen. Laslovich
02:26:38 Sen. Jent
02:27:08 Sen. Shockley
02:28:05 Sen. Laslovich (no motion for Executive Action.)

EXECUTIVE ACTION ON SB 191

Discussion:

02:28:47 Sen. Jent (no motion for Executive Action.)

EXECUTIVE ACTION ON SB 121

Discussion:

02:30:04 Sen. Jent
02:30:16 Sen. Shockley
02:31:32 Sen. Jent (no motion for Executive Action.)

02:32:26 Sen. Perry

ADJOURNMENT

Adjournment: 11:43 A.M.

PAM SCHINDLER, Secretary

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Additional Exhibits:

EXHIBIT ([jus14aad.pdf](#))